

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37750 of 2025

Arising Out of PS. Case No.-23 Year-2025 Thana- Fakuli District- Muzaffarpur

Sanjiv Kumar S/O Rajendra Pandit R/O Village- Bhagwanpur, Bangra
Banshidhar Ward No.-14, P.S- Fakuli, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Manoj

For the Opposite Party/s : Mr. Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-06-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) of
Bihar Prohibition and Excise Act, 2022.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases and allegation is of
recovery of 22.86 litres of liquor from the house of Vikki Pandit.
It is next submitted that petitioner was not arrested from the spot
as such nothing was recovered from his conscious possession
and even alleged recovery is from a place which does not
belong to the petitioner. It is further submitted that since the
petitioner has antecedent of two cases under the Excise Act, as
such the police in a mechanical manner implicated him. It is



also submitted that though in the F.I.R. it is alleged that name of the petitioner was disclosed by local person but the name of the person who disclosed the name of the petitioner is not disclosed in the F.I.R., which casts an aspersion on the case of the prosecution.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on **provisional anticipatory bail** on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Fakuli P.S. Case No. 23 of 2025, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. It is made clear that the learned trial court thereafter shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of more than two cases, in that event, it would be presumed that petitioner had concealed his antecedent before this court, as such, the



provisional anticipatory bail order shall not be confirmed but if on verification it is found that petitioner has antecedent of two cases, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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